

#45 Rehearing

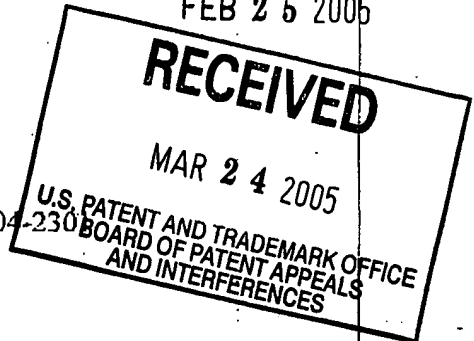
IN THE UNITED STATES PATENT OFFICE
BOARD OF PATENT APPEALS

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FEB 25 2005

Ex parte W. Roy KNOWLES,
Patent Application Serial No.
09/619,142

Appeal No. 2004-230



REQUEST FOR REHEARING

This is a REQUEST FOR REHEARING pursuant to Rule 1.197(b). This is submitted within two months from the date of the original decision, and therefore is believed timely filed.

The point believed misapprehended in the original decision is that the claim term "penetration enhancer" expressly exempts polyethylene glycol and ethanol.

Withdraw of all grounds of rejection is accordingly believed required as a matter of law.

Respectfully submitted,


Mark POHL, Reg. No. 35,325

PHARMACEUTICAL PATENT ATTORNEYS, LLC
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25 February 2005

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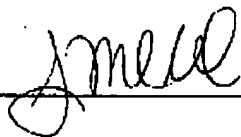
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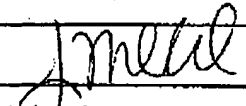
Application Number	09/619,142
Filing Date	
First Named Inventor	W. roy KNOWLES
Group Art Unit	Board of Appeals
Examiner Name	
Attorney Docket Number	KnowlTech

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): Request for Rehearing:
Remarks 		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Pharmaceutical Patent Attorneys, LLC 55 Madison Avenue, 4th floor, Morristown NJ 07960-7397 USA
Signature	
Date	See below date

CERTIFICATE OF MAILING

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Typed or printed name	Mark POHL, Reg. No. 35,325
Signature	Date 25 Feb 05

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